

2827

PATENT
Customer No. 22,852
Attorney Docket No. 05788.0190

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Sergio SPREAFICO) Group Art Unit: 2827
Application No.: 09/987,355) Examiner: I. Patel
Filed: November 14, 2001)
For: SUPERCONDUCTING CABLE)

Commissioner for Patents
Washington, DC 20231

Sir:

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RESPONSE TO RESTRICTION REQUIREMENT

I. Election of Claims Under 35 U.S.C. §121

In the Office Action dated January 14, 2003, the Examiner required election under 35 U.S.C. § 121 between Claims 1-15 and 18 (Group I) and 16-17 (Group II). In response to the restriction requirement, Applicant provisionally elects with traverse to prosecute Group I, Claims 1-15 and 18, drawn to a superconductor cable classified in Class 174, subclass 125.1.

II. Election of Species Under 35 U.S.C. §121

In the Office Action, the Examiner has required an election of a single disclosed species from two patentably distinct species. The Examiner stated that there are no current generic claims and that a single disclosed species must be elected for

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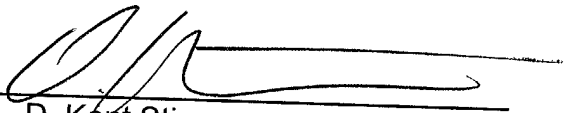
examination. Should the Examiner find Claim 1 to be allowable, Applicant expects all of the dependent claims directed to both alleged species to be examined and allowed with the generic claim. In order to be responsive to the Office Action, Applicant provisionally elects with traverse to prosecute Species 2 that corresponds to Figure 2 according to the Examiner.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
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Dated: February 6, 2003

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